

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

03-12438PBS

UNITED STATES OF AMERICA,
Plaintiff,

V.

88 LOVELLS LANE, MARSTON MILLS,
MASSACHUSETTS,
Defendant.

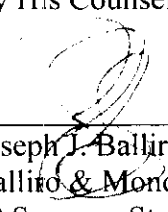
**MOTION OF VICTOR MILLER FOR LEAVE
TO FILE VERIFIED CLAIM LATE**

Now comes Victor Miller, claimant/intervener in the above captioned mater and respectfully requests that he be granted leave to file the attached verified claim late.

As reasons therefore, Victor Miller, through counsel, states the following:

1. An Answer of Claimant/Intervenor Victor Miller Demand For Jury Trial was timely filed;
2. By means of the Affidavit of Task Force Agent Sean E. Balcom attached to the complaint and to complaint numbered 10445PBS, there is no dispute over standing in this case. Task Force Agent Balcom, alleges in his affidavits that Mr. Miller in the owner and purchaser of the subject rem. Mr. Miller agrees.
3. The failure to comply with Rule C(6)(a) was merely a ministerial oversight and will have no material effect on the outcome of the claims set forth by the Government.
4. The Government is not prejudiced by the late filing and has been on notice of the claim from the outset of the litigation.
5. In the interests of justice, this motion ought to be allowed.

Respectfully Submitted,
The Claimant/Intervenor,
Victor Miller,
By His Counsel

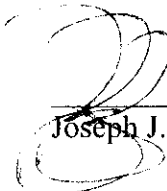


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Date: December , 2004

CERTIFICATE OF SERVICE

I, Joseph J. Balliro, Jr., Esquire, hereby certify that I have served the foregoing by mailing, First Class mail, postage pre-paid to Shelby D. Wright, Assistant United States Attorney, 1 Courthouse Way, Suite 9200, Boston, Massachusetts 02210 on December 27, 2004.



Joseph J. Balliro, Jr.